

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE ACLARIS THERAPEUTICS, INC.  
DERIVATIVE LITIGATION

Lead Case No. 1:19-cv-10641-LJL

**PLAINTIFFS' NOTICE OF MOTION AND UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF SETTLEMENT**

PLEASE TAKE NOTICE that Plaintiffs Keith Allred and Bruce Brown (“Derivative Plaintiffs”) by and through their undersigned counsel, hereby move the Court, before the Honorable Lewis J. Liman, United States District Court Judge for the Southern District of New York, 500 Pearl Street, New York, NY 10007 for entry of an order, which: (1) grants preliminary approval of the proposed Settlement; as set forth in the Stipulation and Agreement of Settlement dated July 29, 2021 (the “Stipulation”)<sup>1</sup>; (2) directs that notice of the proposed Settlement be given to Current Aclaris Stockholders in the proposed form and manner set forth in the Stipulation; (3) schedules the Settlement Hearing; and (4) grants such other relief as the Court deems just and proper.

In support of this motion, Derivative Plaintiffs rely upon the accompanying Memorandum of Law, the Declaration of Timothy Brown, the Stipulation and exhibits annexed thereto, and all prior pleadings and proceedings.

The Parties’ agreed-upon form of proposed Preliminary Approval Order is attached as Exhibit B to the Stipulation. Derivative Plaintiffs respectfully request that the Court enter the proposed Preliminary Approval Order and insert a date for the final settlement hearing in paragraphs 3 and 12. For the Court’s convenience, the proposed Preliminary Approval Order is

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<sup>1</sup> Unless otherwise defined herein, all defined terms shall have the meanings as set forth in the Stipulation, which is attached as Exhibit 1 to the Declaration of Timothy Brown in Support of Plaintiffs’ Unopposed Motion for Preliminary Approval of Settlement.

also submitted herewith

Defendants do not oppose this motion.

Dated: July 30, 2021

Respectfully submitted,

**THE ROSEN LAW FIRM, P.A.**

By: /s/ Phillip Kim

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*Co-Lead Counsel for Derivative Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 30, 2021, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/ Philip Kim  
Phillip Kim